

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GREGORY MAYES,)	
)	Case No. 4:14-CV-01759
)	
Plaintiff,)	JUDGE BENITA Y. PEARSON
)	
v.)	
)	
ELI LILLY AND COMPANY, <i>et al.</i> ,)	
)	
Defendant)	

DISCOVERY PLAN

1. Pursuant to Fed. R. Civ. P. 26(f) and L.R. 16.3 (b)(3), a meeting was held on April 8, 2015 and was attended by:

Harris L. Pogust, Esquire, counsel for Plaintiff Gregory Mayes

Phyllis A. Jones, Esquire, counsel for Defendant Eli Lilly and Company

2. The parties recommend the following track:

Standard

3. This case is suitable for one or more of the following Alternative Dispute Resolution (“ADR”) mechanisms:

Case not suitable for ADR at this time

4. The parties do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

5. Initial Disclosures:

a) Plaintiff made initial disclosures on April 15, 2015 and all other parties made initial disclosures on January 22, 2015.

6. Subsequent proceedings:

a) Recommended Discovery Plan: Discovery is ongoing in other Cymbalta withdrawal cases pending in various federal and state courts across the country. The parties generally agree documents and things produced in those other cases will be applicable and usable in this case. The parties will endeavor to avoid unnecessary duplication. The parties also agree and recognize there is additional discovery to be done and neither party is foreclosed from engaging in discovery pursuant to its ordinary rights under the Federal Rules of Civil Procedure. Discovery in this case will include the exchange of interrogatories by both parties, requests for production by both parties, the taking of oral depositions by both parties, and the exchange of requests for admissions by both parties.

b) The parties have agreed to a method for conducting discovery of electronically stored information.

c) Fact discovery cut-off date: March 31, 2016

d) Expert discovery cut-off date: May 27, 2016

e) Recommended dispositive motion date: August 1, 2016

f) Recommended cut-off for amending the pleadings and/or adding additional parties: May 29, 2015

g) Recommended date for Status Conference: September 1, 2016

Date: April 24, 2015

Respectfully submitted,

/s/ T. Matthew Leckman

T. Matthew Leckman (*pro hac vice*)

Pogust Braslow & Millrood, LLC

161 Washington Street, Suite 940

Conshohocken, PA 19428

Tel: 610-941-4204

Fax: 610-941-4245

mleckman@pbmattorneys.com

/s/ Joyce D. Edelman

Joyce D. Edelman (0023111)

Porter, Wright, Morris & Arthur LLP

41 South High Street

Columbus, Ohio 43215

Tel: (614) 227-2000

Fax: (614) 227-2100

jedelman@porterwright.com

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2015, a copy of the foregoing Discovery Plan was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ T. Matthew Leckman
T. Matthew Leckman (*pro hac vice*)
Pogust Braslow & Millrood, LLC
161 Washington Street, Suite 940
Conshohocken, PA 19428
Tel: 610-941-4204
Fax: 610-941-4245
mleckman@pbmattorneys.com